

*The Labor and Employment  
Section of the State Bar of  
California Presents*



# 10th ANNUAL LABOR AND EMPLOYMENT PUBLIC SECTOR PROGRAM

**April 2, 2004**

Hilton Pasadena  
Pasadena, California

5 Hours MCLE General Credit  
1.25 Hours Substance Abuse

Online Registration is now available at  
[www.calbar.ca.gov/laborlaw](http://www.calbar.ca.gov/laborlaw)

## LOCATION

This year's Public Sector MCLE Program will be held at the:



Hilton Pasadena  
168 S. Los Robles Avenue  
Pasadena, CA 91101  
[www.pasadenacal.com/hilton.htm](http://www.pasadenacal.com/hilton.htm)

## SCHEDULE OF EVENTS

**REGISTRATION** (8:00 - 8:45am)

**I. INTRODUCTION/WELCOME** (8:45 - 9:00am)

Tyler Paetkau - Section Chair

Bruce Barsook - Public Sector Committee Chair

**II. PLENARY SESSION** (9:00 - 10:30am) **1.5 MCLE**

**Program:** They Did *What?* Update on the Developing Public Sector Labor & Employment Law

**Description:** An overview of recent case law and new legislation, plus significant changes in California's administrative agencies.

**Moderator:** Marilynn Mika Spencer, Law Offices of Marilynn Mika Spencer

**Speakers:** Della Behan, Behan & Associates (Labor)  
Barry Broad, Law Offices of Barry Broad (Lobbyist)  
Christina M. Kotowski, Kauff, McClain & McGuire, LLP (Management)

**Coffee Break** (10:30 - 10:45am)



### III. CONCURRENT SESSIONS (10:45am - 12:15pm) 1.5 MCLE

#### SESSION 1

Program: FEHA Administrative Practice - From Accusation to Writ

Description: Our panel of experts will guide you through the processing of a (hypothetical) discrimination case. The review will enable you to understand administrative practice before the FEHC and be a more effective advocate. We'll analyze the agency review process, complaints, discovery disputes, hearings, post-hearing briefs, decisions and appeals. The panel will also discuss the impact of recent court decisions on this area of law.

Moderator: Phyllis Cheng, Appellate Court Attorney, Court of Appeal, Second Appellate District

Speakers: Regina Brown, Deputy Attorney General, Civil Rights Enforcement Section, California Dept. of Justice  
Paul Ramsey, Chief Counsel, Dept. of Fair Employment and Housing  
Steven C. Owyang, Executive and Legal Affairs Secretary, Fair Employment and Housing Commission

#### SESSION 2 1.5 MCLE

Program: Presenting Your Case to PERB: The Advocates' Perspective

Description: Seasoned practitioners before the Public Employment Relations Board discuss strategies for most effectively presenting one's case to the agency. The panelists will focus separately on each step of the PERB process: the pre-complaint investigation, informal conference, formal administrative hearing, and appeal to the Board itself. The panel will also discuss the potential impact of recent regulatory changes regarding filing and precomplaint investigation procedures.

Moderator: Robert Thompson, General Counsel, PERB

Speakers: Spencer Covert, Parker & Covert (Management)  
Mary L. Dowell, Liebert Cassidy Whitmore (Management)

Jesus E. Quinonez, Geffner & Bush (Labor)

Rosalind D. Wolf, California Teachers Association (Labor)

## **SESSION 3 1.5 MCLE**

**Program:** Interest Based Bargaining - Point, Counterpoint

**Description:** Join this panel of experienced negotiators for a lively debate on the advantages and disadvantages of Interest Based Bargaining. Our experts include representatives from labor, management and the mediation service. Topics will include: Interest Based Bargaining - In Whose Interest Is It?; What Makes IBB Different?; Does IBB Work?; Pros and Cons of IBB; and IBB - In Negotiations and Beyond!

**Moderator:** James Varga, Van Bourg, Roger & Rosenfeld

**Speakers:** Steve Silver, Silver Hadden & Silver (Labor)  
Neil Bodine, Beeson, Tayer & Bodine (Labor)  
Valerie Harrigan, Federal Mediation and Conciliation Service (Neutral)  
Dr. Joe Quarrels, Santa Monica-Malibu Unified School District (Management)  
Enrique Martinez, Los Angeles Department of Water & Power (Management)

## **IV. Lunch (12:30 - 1:45pm) .5 MCLE**

**Speaker -** Watch for Speaker Announcement at our website:  
[www.calbar.ca.gov/laborlaw](http://www.calbar.ca.gov/laborlaw)

## **V. CONCURRENT SESSIONS (2:00 - 3:30pm) 1.5 MCLE**

### **SESSION 1**

**Program:** Arbitration - What Helps You Win Cases, What Makes You Lose Cases

**Description:** Back by popular demand! Hear this panel of distinguished arbitrators candidly share their views on a variety of issues that arise in an arbitration setting. Learn what tactics increase your chances of winning (or losing) your case.

**Moderator:** Carol Vendrillo, Arbitrator and Editor in Chief of the California Public Employee Relations Journal

**Speakers:** Sara Adler, Arbitrator  
Ed Edelman, Arbitrator  
Edna Francis, Arbitrator  
Fred Horowitz, Arbitrator

### **SESSION 2**

**Program:** The Leave Maze

**Description:** Take a walk through the twists and turns of administering and enforcing medical, family and related leaves of absence

**Moderator:** David Duchrow, Law Office of David J. Duchrow

**Speakers:** Joan E. Smiles, Sidley Austin Brown & Wood (Management)  
Marc Coleman, Law Offices of Marc Coleman (Labor)

### SESSION 3

Program: Labor Negotiations - Bottom Line Issues & Strategies

Description: A blunt description of bottom line union and management positions in hard economic times and what each side is willing to do to obtain its goals. The panel will discuss tough issues, such as health care costs, contracting out, salary freezes/reductions, merit raises, and strikes. The panel consists of experienced public sector union and management negotiators, and a State mediator. If you can take the hard knocks, join us!

Moderator: Alan Hersh, General Counsel, West Contra Costa Unified School District

Speakers: Rhonnie Tinsley, Negotiation and Organizing Specialist, California Teachers Association (Labor)  
Ronald D. Wenkart, General Counsel, Orange County Office of Education (Management)  
Annelle Grajeda, General Manager, SEIU Local 660 (Labor)  
Brenda Diederichs, Chief Labor Relations Officer, Metropolitan Transportation Authority (Management)  
Paul D. Roose, Mediator, California State Mediation and Conciliation Service (Neutral)

Break (3:30 - 3:45pm)

### VI. PLENARY SESSION (3:45 - 5:00pm) 1.25 Substance Abuse Credit

Program: Alcohol, Alcoholism and the Labor Relations Professional

Description: Join Psychiatrist Pablo Stewart for an insightful and important overview of alcohol abuse in the workplace. Dr. Stewart, current Chief of Psychiatric Services at the Haight Ashbury Free Clinic, Inc., in San Francisco, has over twenty years of experience working with psychiatrically impaired substance abusers, including attorneys and public employees. A popular and entertaining speaker, Dr. Stewart will help you identify, understand and respond to alcohol abuse situations you may encounter among clients and colleagues

Moderator: Bruce Barsook, Liebert Cassidy Whitmore

Speaker: Pablo Stewart, M.D., Chief of Psychiatric Services, Haight Ashbury Free Clinic, Inc.

Reception (5:00 - 7:00pm) - All are welcome! Door Prizes!

## REGISTRATION INFORMATION

**DEADLINE:** In order to pre-register, mail your form and check, payable to the State Bar of California, or credit card information **MUST BE RECEIVED BY FRIDAY, MARCH 26, 2004.**

**ONLINE REGISTRATION** is now available at [www.calbar.ca.gov/laborlaw](http://www.calbar.ca.gov/laborlaw).

**MAIL TO:** Program Registrations, State Bar of California, 180 Howard St., San Francisco, CA 94105

**FAX TO:** Program Registrations at 415.538.2368. In order to fax your registration, credit card information is **MANDATORY**.

**CANCELLATIONS/REFUNDS:** Cancellations and requests for refunds must be received **in writing by March 26, 2004**. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

**ON-SITE REGISTRATION** is limited and subject to availability. Please register in advance.

**NO CONFIRMATION LETTER** will be sent. You must check in at the Registration Desk before the program.

**SPECIAL ASSISTANCE:** For special assistance please call 415.538.2590; for TDD speech and hearing impaired, please call 415.538.2231.

**QUESTIONS:** For registration information please call 415.538.2508. For information regarding the program please call 415.538.2590.

**AUDIO CASSETTES** will be available for purchase after the program from the Versa-Tape Company by calling 800.468.2737.

## HOTEL REGISTRATION

A room block has been reserved at the **Pasadena Hilton** for the evening of April 1, 2004. To obtain a special rate of \$110 per night, please call **(626) 577-1000** and identify yourself as being with the 10th ANNUAL PUBLIC SECTOR LABOR AND EMPLOYMENT ROOM BLOCK. The deadline for registration is March 18th, so be sure to make your hotel reservations early!

*The State Bar of California Labor and Employment Law Section is a  
State Bar of California approved MCLE provider.*

## REGISTRATION FORM

### 10th ANNUAL LABOR & EMPLOYMENT PUBLIC SECTOR PROGRAM

Note: One registrant per form. Photocopies may be used.

Name: \_\_\_\_\_ Bar #: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

#### Pre-Registration Fees (must be received by March 26, 2004)

- ☐ Labor & Employment Law Section Member .....\$150
- ☐ Non-Section Member .....\$210  
Includes enrollment in the Labor & Employment Law Section for 2004
- ☐ Non-attorney labor-relations professional .....\$ 100
- ☐ Full-time Law Student (attach copy of school ID .....\$ 50

#### On-Site Registration Fees (April, 2, 2004 at Pasadena Hilton)

- ☐ Labor & Employment Law Section Member .....\$175
- ☐ Non-Section Member .....\$235  
Includes enrollment in the Labor & Employment Law Section for 2004
- ☐ Non-attorney labor-relations professional .....\$ 125
- ☐ Program Materials Only .....\$ 100
- ☐ Labor & Employment Law Section Enrollment Only .....\$ 60

Amount Enclosed/To Be Charged .. .....\$ \_\_\_\_\_

#### Credit Card Information (VISA/MASTERCARD ONLY)

I authorize the State Bar of California to charge my program registration to my Visa/MasterCard account. (No other credit card will be accepted.)

Account Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Cardholder's Name: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

**\* Registration must be received by Friday, March 26, 2004.**

#### During Concurrent 10:45 to 12:15 Sessions, please check one preference:

☐ Session 1      ☐ Session 2      ☐ Session 3

#### During Concurrent 2:00 to 3:30 Sessions, please check one preference:

☐ Session 1      ☐ Session 2      ☐ Session 3

State Bar Education Foundation  
Labor and Employment Section  
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